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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/555,809	07/28/2000	Marcello Donati	753-168P	9050

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EXAMINER

BAYARD, EMMANUEL

ART UNIT	PAPER NUMBER
2631	

DATE MAILED: 07/02/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/555,809	DONATI ET AL.
	Examiner Emmanuel Bayard	Art Unit 2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 28 July 2000.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-21 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-21 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 .

4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other:

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## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: Each page of the specification should be numbered in sequence.

Appropriate correction is required.

2. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claims 1 and 12 recite the limitation "the assigned band" in lines 10 and 11, respectively. There is insufficient antecedent basis for this limitation in the claim.

6. Claim 1 recites the term "they" in line 30 is a relative term which renders the claim indefinite. It is unclear as to what "they" is referring to. Applicant needs to replace "they" with the appropriate meaning.

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7. Claim 12 recites the term "them" in line 38 is a relative term which renders the claim indefinite. It is unclear as to what "them" is referring to. Applicant needs to replace "them" with the appropriate meaning.

8. Claims 1 and 12 recite the limitation "the successive products" in lines 15-16 and 18 respectively. There is insufficient antecedent basis for this limitation in the claim.

9. Claims 1 and 12 recite the limitation "its" in lines 17 and 19. It is unclear as to what "its" is referring to. Applicant needs to replace "its" with the appropriate meaning.

10. Claims 1 and 12 recite the limitation "the relative position" in lines 23 and 26, respectively. There is insufficient antecedent basis for this limitation in the claim.

11. Claim 1 recites the limitation "the antenna" in line 36. There is insufficient antecedent basis for this limitation in the claim.

12. Claim 4 recites the limitation "its" in line 1. It is unclear as to what "its" is referring to. Applicant needs to replace "its" with the appropriate meaning.

13. Claim 8 recites the limitation "it" in line 1. It is unclear as to what "it" is referring to. Applicant needs to replace "its" with the appropriate meaning.

14. Claims 11 and 21 recite the limitation "the doppler effect" in lines 3, respectively. There is insufficient antecedent basis for this limitation in the claim.

15. Claims 11 and 21 recite the limitation "the mobiles" in line 3, respectively. There is insufficient antecedent basis for this limitation in the claim.

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16. Claims 11 and 21 recite the limitation "the electromagnetic field" in line 4, respectively.

There is insufficient antecedent basis for this limitation in the claim.

17. Claim 14 recites the limitation "said interface" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claims 2-3, 5-7, 9-10 and 13-20 are also rejected because they depend on a base rejected claim.

***Allowable Subject Matter***

18. Claims 1 and 12 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

19. Claims 2-11 and 13-20 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

20. The following is a statement of reasons for the indication of allowable subject matter: the present invention teaches a simulation process for obtaining a phase modulated radio frequency test signal. The closest prior arts of Dent U.S. Patent No 6,185,259, Moriyama U.S. Patent No 6,483,880 B1 and Lu U.S. Patent No 6,025,758 teach a similar simulation process. However the closest prior arts mentioned above fail to anticipate or render obvious the following recited features: radio frequency conversion of the reconstructed analogue replicas, amplifying and filtering the replicas for obtaining N broad band radio frequency replicas (RF1, Rf2, .... RFN)

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constituting a single test signal suitable for testing the operation of a directional receiver, preferably one included in a base station of a radio mobile system designed for cooperation with N-elements directive array and application of the N broad band radio frequency replicas (RF1, RF2, ... RFN) to N radio frequency inputs (IN1, IN2, ..Inn) of the receiver under test bypassing an antenna as recited in claims 1 and 12.

*Conclusion*

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dent U.S. Patent No 6,185,259 B1 teaches a transmitter/receiver for GMSK.

Moriyama U.S. Patent No 6,483,880 B2 teaches a radio equipment.

Lu U.S. Patent No 6,025,758 teaches a method and apparatus for performing digital data signal modulation.

Tayebi et al U.S. Patent No 6,373,827 B1 teaches a wireless multimedia carrier system.

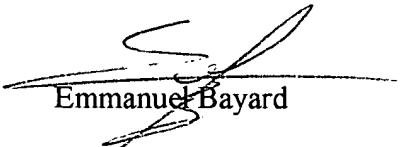
Taylor et al U.S. Patent No 5,764,693 teaches a wireless radio modem.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Bayard whose telephone number is (703) 308-9573. The examiner can normally be reached on Monday-Thursday from 8:00 AM - 5:30 PM. The examiner can also be reached on alternate Fridays.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (703) 305-4378. The fax phone number for this Group is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.



Emmanuel Bayard

Primary Examiner

June 24, 2003